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HOW TO CALL TIMES-DISPATCH.

FRIDAY, JANUARY 18, 1907.

A Consolation Prize.

cussing the defunct question of a South-Democratic Conference to consider the question of nominating a Southern

"If so quickly to be done for, well may The Times-Dispatch wonder what it was begun for—the movement we mean. We take it that this means that the Southern Democrats are not ready yet to take the risk of nominating one of their own number for President. They will be content one time more to take a man from the other side of the one time Mason and Dixon line. If it be Bryan, the South will come up to scratch with a smile on its face and give him its electoral votes. It may be that a good many Southern Democrats will object; but one or two blasts from the bugle proclaiming the imminent danger of negro domination will bring most of them quickly into line, and on election day there will be no break in the ranks.

"Or it may be some unknown, such as Parkers." Her Times Dispatch was the search of them the strength as "If so quickly to be done for, well may

in the ranks.

"Or it may be some unknown, such as Parker. But The Times-Dispatch will have the consolation of knowing, when it is all over and victory again perches upon another banner, that the defeated will not be in a position to shake its gory locks at it and say it did it. If the Democrats of the South are content to do the voting and let those of the other sections of the Union get the bulk of the dividends, the Richmond contemporary may have a conscience that will not bring rebuke for neglecting to point bring rebuke for neglecting to point

of Southern people; that it had no little amusement, for this paper never aggestion was quite as artless as the po no political cunning.

pose to which we have already confessed, minating a Southern man had no bottom to it, for the sufficient reason that any Southern man. The South may be man, but never for a Virginia man or a

You are right, esteemed friend of Knoxville, The Times-Dispatch is heaping up comfort against the day of defeat.

A Farmer's View of Taxation. In another column we publish a com munication from a farmer residing in New Kent county, in roply to an articl in The Times-Dispatch on tax assess ments in Virginia. He gives rather gloomy picture of the farming industry, farmer can do to make a living. We might digress just here to say that many farmers in Virginia are making considerably more than a living, and some of them are getting rich, but these are the farmers who have improved their lands, cording to the best scientific and business principles. Farming in Virginia conducted on those lines will pay, as has been abundantly demonstrated, Mr. T. O. Sandy, of Notioway county, who has converted poor lands into rich lands and who is one of the most prosperous farmere of the State, will conduct a number demonstration fields during the present year in order to show the farmers how it can be done. If our farmers will give heed and follow his method we believe that they will have greater suc-

respondent says that ther; is a vast difference between what a man wants for forced to sell, and he concludes, from his knowledge of the situation, that lands and are ascessed at a fulr valuation. If that

be true, there is no ground for complaint. There is no demand from this pape or from any source for an assessmen which is higher than a fair market price for the subject of taxation. But any man who will go over the auditor's report that lands in one county are assessed at a certain figure and in another county, where conditions are practically the same, negroes, and it is expected that it will

same is true of personal effects. conclusion is perfectly logical, therefore, sessed too low, or in others too high. sessed too high, and that much of it is contention has been and is for a UNIFORM assessment, so that the burden of taxation may fall as evenly as possible upon all tax-payers and classes of tax-payers. It matters little whether the assessment be high or low, so far as the Justice of the thing goes, if only it be uniform.

But if the assessment be unduly high in one section and unduly low in another. while the State rate for all remains the same, it is manifest that those upon whom the high assessment is imposed will pay more than their fair proportion

A Message From Asheville.

The city of Asheville, N. C., has ampaign on to raisa \$20,000 for the benefit of the Y. M. C. A., and at last reports all but \$6,000 subscribed. The Ashevilled Citizen is taking a leading part article dwells upon the excellent work which the Y. M. C. A. is doing for the

"That being the case," says our con-temporary, "It can be argued that since a community depends for the high standard of future generations on the young men of to-day, it is our duty to do all in our power to preserve the sav-ing influences which make for their up-lifting.

There is hardly a section of the uni "There is hardly a section of the universe where the Y. M. C. A. does not exist and flourish. It is, as has been claimed for it, non-secturian, its sole object being the protection of the youth. It therefore receives, or should receive, the support of all denominations, since it is engaged in a work for the common good."

The significance of this article is that the Y. M. C. A. is not an experimental It has passed out of the experimental and its efficiency has been proven. Ir the modern universe it occupies a field poculiar to itself, and if it falls to perform its mission the work which it It will be done by no other institution for there is none other to do it, and that is the fact to which the earnest atten tion of the people of Richmond is

It is also to be kept well in mind tha this is our institution. It does not belong to the national organization, no to President Hawkins, nor to Secretar, McKee. It belongs to the people of aln it. They may shirk the responsi billity, but they cannot escape it, no he penalty of shirking.

Mr. Gunst's Plan.

The proposal of Mr. Marx Gunst tha duced to twenty-one, and that the men nen be paid a salary to devote their ntire time to the business of the cor onsideration. But we believe that th better, by adopting the Galveston plan of electing a few select men, who, ir trol, each in his own department, or corporation.

oil to appoint a committee to investigate the forms and methods of municipal United States and elsewhere, with a view the interest of the public welfare that such a committee be appointed, and if The Times-Dispatch hopes that the members will give special attention to necessary to visit that city and see the favorable. It has certainly performed a great service for Galveston, and there is countly successful in Richmond.

Oklahoma's Race Problem.

The new State of Oklahoma is having n interesting time in preparing a nev constitution. The constitutional conver ion is composed largely of Democratic delegates, and they are wrestling with a serious race problem. The convention has to deal with both Indians and ne Tribes were owners of slaves before th war, and after the emancipation of their slaves were compelled by Congress to divide their lands with them. This acestablished a class of land-owning ne gross, who are elevated financially above many white people, and the number o that race has been largely increased by immigration, so that the negro que tion is beginning to engage the thought State.

in Collier's Weekly, and he adds "that th recent immigration of the whites from an opportunity to study this question a close range, and has made many of ther less tolerant of the negro than the South erners themselves."

It is always so. When the Northerner come face to face with the nesro que tion, it is more terrible to them than to Southerners, who have been dealing with it all their lives. But the constitutions onvention of Oklahoma will have more difficulty in dealing with the negro vote than the similar conventions in the Southern States have experienced. Mr. Foreman points out that the enabling ac providing for the admission of Oklahoma requires that the constitution of the State shall make no distinction in civil or political rights on account of race or color. It further requires that the conscitution shall provide that the State shall never conct any law restraining or abridging the right of suffrage on account of race, color, or previous condition of servitude. It is a foregone conclusion, he adds, that the constitution will provide for separate schools and separate cars for

at a figure either higher or lower. The contain educational qualifications intended The to reach the negro, although at the pres ent time this would affect many white better educated than those from the Our own belief is that property States. But whatever it does, the conventhe rural districts is as- tion will have to guard well against in constitution is subject to review in the shall decide that in every respect it con forms to the enabling act, he will make a proclamation to that effect, and Oklahoma will then be a State. But if he decides that the constitution is repugnan to the enabling act, his proclamation will not issue.

It is a serious problem for any State to handle-most of all for a new State, whose acts are subject to review by the Federal authorities. The South will watch the outcome with keen interest.

An Object Lesson.

Yesterday morning East Main Street vas dirtler than it had been for a year and a day. Later on it was cleaner than

it had been for a year and a day, The explanation is simple. The hose was turned on and the slush was washed into the gutter, leaving the granite pavement as clean as a New England kitchen

took heed. Why cannot we have more street-scrubbing like this? It is a quick process and quite effective, and it cannot be very expensive.

A Point in Grammar.

or of The Times-Dispatch: .—You say grapefrults where sev Sir,-You say grapefruits where sev-eral kinds of grapefruits are referred to, do you?

Well what do you say when you speak of several kinds of sheep?

E. T. GORDON.

By an established tule of grammar "sheep" is both singular and plural form, while the plural of grape is grapes and the plural of fruit is fruits But both grape and fruit are quantitive terms, and so is grapefruit. Therefore we would say in referring to quantity a basket of grape, or a basket of fruit, but if speaking numerically a dozen fruits or a dozen grapes, and hence a dozen grapefruits.

Let Justice Be Done.

The News Leader reminds us that we did Norfolk and Atlanta an injustice in failing to state that during 1906 they gained two points in the bank clearing ranks, while Hichmond gained only one

The Y. M. C. A. clock reminds us

A Cincinnati man lately returned from a long stay in Manila asserts that "there is nothing to hinder the Japanese from taking the Philippines if they choose." Of course the plague of it is that the little men don't choose.

It has just been announced that Hor Joe Bailey's name, in the secret code of Standard Oil, is "Republish." And how many times will his enemies down in Texas Joebailey this item!

Mr. Rockefeller declares that he has seen "little of the evil of the world." Luckily, the courts are now at work to bring a great deal of it to the old gentle-

A singing revivalist named I. Waltz is having great success in Maine. And no wonder: the lady in the ballad isn't the only one of her sex who likes to have a Waltz around.

The Automobile Club is firmly opposed to tearing up the streets. Hence, if you see an automobile tearing up the street, you'll know right away that it doesn't belong to the Club.

Three millionaires are now contesting for a Rhode Island senatorship, which should impress Mr. Guggenheim anew with the advantages of a Colorado resi-

There are 20,000 newspapers in United States, and some 85.000,000 people who know how to run them far better than their present proprietors. While the laws that Boston has recently

revived are positively sky-blue, they are doubtless not a whit more so than the citizens who have to mind them.

Dr. Crapsey says that there was never any Garden of Eden, apparently being ignorant of the fact that we have seen a picture of it in the illustrated family

Mark Twain's fear that we are going to become a monarchy is based on a misconception. Mr. Harriman could tell him that we are glready one.

If old Jondee is compelled to pay a \$60,000,000 fine, he really may have some little difficulty in saving it out of his byster-money.

However much January may strive to make up for past errors, June's opening performance has already been seriously

Mr. Carnegie says: "The people are my partners." If you think it worth while, you might show this to the bill collector. Maine hunters make \$125,000 a year out of the humble skunk, and it is hereby

the humble skunk, and it is not be earn the eerfully conceded that they earn the After all the income tax is likely to

embarrassing to those of us who haven't any. London got out a directory in 1677. It s a safe gumble that the average London

lrug-store has it.

ex-Shahesses?

That Brownsville affair is fast heading toward a high place among the view-with-alarm episodes. Many a man has found, too late, that

They also serve who only stand and

Dr. Hawthorne's Retirement.

Rhymes for To-Day

Perplexing Thoughts.

Ferplexing Thoughts.

If a rat-killer went to a rathskeller.
And called for his pint of beer,
And a twine-seller fresh from a winecellar.

Strolled up and boxed his car—
Would the man of rats poke in his slats,
Or glance askew with a tear?
Do you really think it would spoil his
drink.

To feet that pain in his car?

If a hog-catcher fought with a dog-

catcher
On a cow-catcher's rushing rim,
And he scraped his eyes with a matchscratcher,
What should we say to him?
Should we say; "He done that just for

fun,
And all for a merry whim!"
Or should—"That's enough! You fight too
rough!"
Be what we'd say to him?

If a dope-taker went to a soan-maker To coax for a shaving-stick, And there had words with a rope-maker— Well, who do you think would liek? When their friends began for to back

their man,
Come, which would be your pick?
Which of that pair, if they both fought Would you bet would up and lick?

If a terse writer who was a curse-writer
And sold his oaths to the blind,
Met a verse-writer who was a worse
writer
Than the one here undersigned—
Well, what if he DID knock off his lid?
Would you say that he done unkind?
Or that 'twasn't enough for a man whose
stuff.

stuff.

Is worse than the undersigned?

MERELY JOKING.

The Dear Girls.

Dora—"The wretch! To propose to both of a on the same night!"
Flora—"How shall we punish him?"
Dora—"I'll tell you—you accept him, dear."
-(leveland Leader.

Mrs. Green..."Does your husband object to decollete gowns?"
Mrs. Wisc..."On! no: he spent three years in Africa once, you know." ..."Life Observer. Good Ground for Anxiety.

"You look worried," said one gided youth.
"I am," answered the other. "My father has
conceived the idea of trying to cut my allowance down low enough to keep people from
saying I have more money than brains."—
Washington Post,

Thanksgiving Aftermaths.

Mrs. Jimmy-Did you see my sunburst yes-torday? Mrs. Kidder-No, but I knew he would if he ate any more of that turkey and mince plo,--Cleveland Leader.

"The Chumpleys had a mind-reader at their house the other evening."
"My, what a stupid time he must have had,"
—Cleveland Plain Dealer.

Belle's Pleasantry.

Redie's Pleasantry,

Kadley Rich—I saw a great deal of Belle
Swellman last winter. I saw you talking to
her this morning.

Goodley Buillon—Yes; she was telling me
she hoped you were going to winter at Palm
Beach again this season.

Katley Rich—Ahl she's going there, ea?

Goodley Buillon—No; she's going to California.—Catholic Standard and Times.

POINTS FROM PARAGRAPHERS.

T HE Saturday Evening Post, which attributes George H. Cortelyou's rise in life to his habit of "listening to every body and never saying a word," must have no little difficulty in accounting for the prominence of Theodore Roosevelt, —Louisville Courier-Journal.

Why not present the Philippines soldiers upon the condition that there?—Louisville Courier-Journal.

Rev. Dr. Parkhurst declares that there are men in New York who would match the twelve apostles. Yes, with anything from pennies to double eagles and win every time.—Cleveland Lender.

London's Royal Geographical Society has made President Rossevelt a fellow. How abou-electing the one or two other men who've beer to Panama?—New York American.

The next interesting spectacle will be Sena-tor Balley wearing a Prince Albert coat that has been whitewashed.—Chicago Tribune.

An eminently exclusive Richmond literary society has decided that cultured people may use slams with discretion. Now watch Boston's nose go up in the sir.—Washington Herald.

But Ananias needn't think that the acquitta of Colonel Mann restores any of his lost laurels. ---Louisville Times.

COMMENT OF VIRGINIA EDITORS.

If we would advance the growth of this city as it can be advanced by proper effort, it must be done by offering employment to the people whom we would bring here. It can never be done merely by converting corn fields into town lots and laying off streets.—Roanoke Times.

Another Word in Season

to become a monarchy is based on a misconception. Mr. Harriman could tell him that we are already one.

Strictly on the basis of behavior, it will be difficult to distinguish an Indian in the U. S. Senate from a number of his Caucasian colleagues.

Another Word in Season.

A Just Rebuke.

Senator Spooners rebuke of Tillman in the Senator Spooners was justly described. It is ustounding that a member of the Senate should justify lynching. The best sentiment of the South has always been averse to lynching, and nothing tends to keep radial feeling slive as much as the advocacy of lynching by such men as Tillman,—Fredericksburg Journal.

Primus Inter Pares.

Primus Inter Pares.

No. Major Daniel is not the only man in Virginia fit to be President. There is Holmes Conrad, and John Geode, and Geode, and Geode and Geode and could mention, who would worthly fill that high office. But can our South Book contemporary point us to any Virginian or Southerner or Northerner, or anybody see who would adorn the Presidential chair with such ability, such dignity, and such ologate as would John W. Daniel? There are many equals; but there is but one "Primus interpares," and that one is the senior Senator from Virginia.—Charlottesville Progress.

PERSONAL AND GENERAL

The earliest known directory is that of Lon-A barrel of beef, a barrel of pork and a bar rel of fish each weighs 500 pounds. Samuel Evans, a British soldler, died at Plymouth in 1809, having lived for sixteen days after being shot through the heart.

The wife of Wu Ting fang, former minister from China to the United States, has just paid the cost of building a large and fine hospital in Hong-Kong;

sphear at Yale.

Waltz is the name of a worthy singing nagelist who is helping the revivalists of denominations down in Maine just now with

It is the boast of United States Senator J. C. S. Blackburn, of Kentucky, that he never in his life wrote a speech, an article or an editorial. Mlss Victorie De Maligny will lecture be-fore American universities on French litera-ture. See will be the first woman lecturer to appear at Yale.

their mostings.

Frince Eitel Frederick, the German Emper-prise second son, while at codege, performed the difficult feat of swimming across the thine at Bonn, where the river is very broad, with and full of dargeous edilos. to all men.

Last night he outlined to me the sermon which he will deliver next the Palm and Under the Willow or the Duplex Experience of True Christian Life. I prophecy that the sermon will be a rare treat to those who are fortunate enough to hear it.

AN ADMIRER.

Prince Elies Freeze to soon, while at college, performed the dirricult feat of swimming across the held to reduce the number of offices the dirricult feat of swimming across the proposed. The college proposed the dirricult feat of swimming across the dirricult feat of swimming across the held to reduce the number of offices switch and full of dargerous eddles.

Switch and full of dargerous eddles.

Switch and full of dargerous eddles with and full of dargerous eddles with and full of dargerous eddles.

Switch and full of dargerous eddles with and cut down expenses, but every Legister the dirricult feat of swimming across the held to reduce the number of offices the dirricult feat of swimming across the life of the dirricult feat of swimming across the dirricult feat of swiming across the dirricult feat of swimming across the dirricult feat of swiming acro

People Seen in Public Places

Hon, Haynes L. Morgan, a member of the general board of directors of the hospitals of the State, was at the Richmond yesterday, on his way to his home at Saitville, from Williamsburg, where he sat in the famous Foster trial. When seen last night, just before taking his train, Mr. Morgan declined to discuss the Williamsburg affair for publication, but he talked freely about matters connected with his own proud Southwest.

"We have got the greatest country on earth," said Mr. Morgan, "We raise the prettlest women and the best men and the finest cattle in the State, and the air we breathe is conducive to the best of health conditions,

"Speaking of cattle, I will say that it

breathe is conductive to the best of health conditions.

"Speaking of cattle, I will say that it is a weil known fact that we are the only people who can boast of shipping them direct from the grass without feeding. Our blue grass, in this respect, overlays that of Kentucky or any other section of the country.

"Wa have no apologies to make to any section of the world for our natural resources. Our section of the State is as prosperous as we could wish it to be, and everybody out our way who desires to do so can make money."

Mr. Morgan is quite popular in his section, and although Smyth county is overwhelmingly Republican, and he is a "dyed in the wool" Democrat, he came to the House of Delegates in the session of 1895-1896 over strong opposition.

Mr. Morgan has been urged to accept

session of 1895-1896 over strong eppo-sition.

Mr. Morgan has been urged to accept the nomination of his party for other

Mr. Morgan has been urged to accept the nomination of his party for other positions, but he has retired from his law practice and from politics, and is looking strictly after his large cattle and farming interests.

Mr. Morgan is a great admirer of Hon. Henry C. Stuart, and believes the Southwest member of the Corporation Commission is highly deserving of any honor he may desire at the hands of the Virginia people.

Hon, and Mrs. William M. McAllister, of Warm Springs, Va., are in the city. They are registered at Murphy's Hotel.

Judge James L. Tredway, of Chatham, and Hon. Robert Gilliam, of Petersburg, passed through the city yesterday, on their way to their respective homes from passed through the city yesterialy, on their way to their respective homes from Williamsburg, where they had been since Monday, sitting in the Foster inquiry. They would not discuss the merits of the case for publication, but they are known to be two of the ablest members of the general board, and to have made a great study of the general subject of the conduct of asylums and prisons. Judge Tredway is a member of the board of the Western Hospital, at Staunton, and Colonel Gilliam of the Central, at Petersburg. They were among the leading spirits at the inquiry held in Williamsburg this week, and said the session of the board had been quite a strain for all who attended. They both left the city on early trains for their respective homes.

Colonel Meade Haskins, formerly of this city, and now a prominent lawyer of Blackstone, is stopping at Murphy's.

Captain J. S. Osborne, of Radford, a member of the General Board of Directors of the Asylums of the State, was in Rich-mond last night on his way home from Williamsburg.

Mr. and Mrs. S. Y. Gilliam, of Church Road, Dinwiddle county, are at the Elch

Noting an Exception.

Editor of The Times-Dispatch:

Sir,-Will you kindly explain how
these two extracts from your columns
of to-day (January 17th) are to be reconciled?

This from your editorial:

"Mr. Guggenheim's election to the
United States Senate has now been
formally certified by the Colorado
Legislature. The event, however, had
never been in doubt among those
familiar with the size of the Guggenheim roll."

And this from your Denver telegram.

familiar with the size of the Guggenheim roll."

And this from your Denver telegram, describing the opening prayer in the Co'orado Legislature:

"Then the man of God proceeded to ask a blessing upon Simon Guggenheim. He thanked God 'that we have come to a time when creed cuts no figure when we see a manly man."

Now, Mr. Editor, which are we to believe? Are we to follow that maxim of law which provides that those who know a man best are the most competent witnesses of his character, or are we to take the word of your "humorous" paragrarher?

I have read The Dispatch, and its successor for thirty-five years, and have generally tried to believe what I saw in them (especially what I wrote myself). But you are taxing my credulity to too great an extent wiven you ask me to believe that Mr. Guggenheim is a briber and also a "manly man"

I have and want to believe there was

there were not, I want to ask you is i right to jokingly accuse a man of ar offense that makes him worse than; common thief? My private belief is that the way the press has of lightly referring to crime is to blame for n small part of the present day corruption in high places.

[The Times-Dispatch is, of course not responsible for the opinions of the Denver clergyman, which were printed merely as a piece of incidental news. for its editorial paragraph, to which ception, it need only be said that Mr Guggenhelm has himself stated that his seat in the Senate was secured by virtual purchase .- Editor Times-Dispatch.]

The Farmer's Side.

Editor of The Times-Dispatch. Sir.—I have read your articles on taxation, and think you are mistaken bout the prosperity of country people It is all that the average farmer car do to live. While he pays higher for what he buys, yet his corn, wheat and meat bring no more than they did twenty years ago. He can't compete

For his tobacco he has to take just what the trust chooses to give, and for fertilizer pay what it charges Hence, many abandon their farms and go to town. All around Richmond there are fields long since abandoned on account of their poverty.

In many places, land is just as hard to sell as it ever was and personal to sell as it ever was and personal property is assessed at as much as it

ould bring if sold for cash. There is a vast deal of difference between what a man wants for a thing and what he can get for it when forced As for income, there is not one coun

tryman in 500 with a net income At the last land assessment, the assessors arbitrarily put up values, and if

mount to confiscation.

In city and country, tax rates are vicetionate. But the countles pay, in extortionate. But the counties pay, in proportion to their scanty means, just as much as the cities.
The Constitutional Convention was

RUMHORD Baking Fowder

A Strictly Pure Phospate Powder

Made of the genuine Prof. Hogord's phosphate, which adds to the bread the lackg phosphate element so essential to health, four in wheat and other grains.

COURT DECLAIES LAW IS IIVALID

of Lower Court as to Masurier Ordinance.

OTHER INTERESTING CASES

Long-Standing Controversy Over Title to Property Is Terminated-Summary.

The Supreme Court of Appeals yester day handed down comions in twenty-one cases, all of more or less importance, The most interesting locally is that in which the court sustains Judge Witt's decisior, declaring invalid the city ordi-nance, known here as the Masurier ordi-

nance, known here as the Masurier ordinance, making it unlawful for any etty official, employe or member of any municipal board to serve as judge, registrar or clerk at any election, regular or primary, or as member of any standing committee of any political party. The opinion was written by Judge Whittle.

The case was that of the City of Richmond vs. Lynch and Duke; and the opinion, taking the case of Lynch, who is a member of the Common Council of the city, says that he holds an elective office under the Constitution of Virginia, and that instrument having declared what that instrument having declared what political positions shall be deemed incompatible with such office, not including membership of a standing committee of compations with survey and committee of any political party, it is not within the competency of the city by ordinance to add other inhibitions to those therein commerated. And, as another reason, it is said there is no authority in the charter of the city, either express or implied, to ingraft such a limitation on municipal offices—it contains no general welfare clause, in the common acceptation of that term, and the restrictive language of section 19, invoked as warrant for the enactment is wholly inadequate for that purtion 19, invoked as warrant for the enact-ment, is wholly inadequate for that pur-

Long Controversy Terminated. Another decision of decided local inter-est was that in the case of Glenn vs. West, by which the judgment of the Cir-West, by which the judgment of the Cir-cult Court of the city of Richmond is af-firmed and finally determines a contro-versy which has been pending for sev-eral years over the title to the property 905 North Second Street, in this city, in-volving a sale of the same for delinquent

taxes.
In 1851 George W. Probst conveyed certain real and personal property to a trustee for the sole and separate use and benefit of his wife, Elizabeth Ann Probst, did during her life, and for the benefit of such of their children as might survive her. The real estate convoyed by this deed was, under the authority conferred upon him, sold by the trustee and the proceeds reinvested in the projecty 95 North Second Street. The taxes on the property, which were assessed in the name of Barnett Wicker, trustee fir E. A. Probst, etc., became delinquent by the years 1876, 1877, 1878 and 1879, and the property was sold for the delinquent taxes to Joseph F. Glenn, and a deed maje to him by Walter Christian, clerk of the Hustings Court, November 28, 1890.

Mrs. Probst died in 1883, leaving Châles S. Probst the only surviving child of erself and her deceased husband, Geoge W. Probst; and on July 23, 1886, Chakes S. Probst to overyed the property in quistion to Willard E. Brown, who in 1902 cq. veyed it to William B. West. The truste in the original deed died without conveying the legal title to Charles S. Probst of those claiming under him, and in a suit brought for that purpose the Chancer's Court of the city of Richmond adjudged. West to be the equitable owner of the years of the court on March 9, 1905. This action of ejectment was thereupon instituted in the Circuit Court of Endomond. Affirmed.

Scientification of ejectment was thereupon instituted in the Circuit Court of Lyochburg. Affirmed and Western Ballway Company vs. Gross. Circuit Court of Lyochburg. Affirmed. Scientific Court of city of Charles Court of the court, on March 9, 1905. This action of ejectment was thereupon instituted in the Circuit Court of Charles Court of the court, Judge Cardwell, in his opinion, states that this case is controlled by a forpor decision of the court in Table vs. tain real and personal property to a trus-tee for the sole and separate use and benefit of his wife, Elizabeth Ann Probst,

Amrming the judgment of the lower court, Judge Cardwell, in his opinion, states that this case is controlled by a former decision of the court in Tabb vs. Commonwealth. Following that decision it is bald that it is held that taxes and levies, assessed by the State of a municipal cor-poration, which accrue during the estate of a tenant for life, are liens on the estate of the life tenant only, and not on the of a tenant for life, are liens on the estate of the life tenant only, and not on the estate of the remainderman, and cannot be enforced against the latter; that it is a matter of no importance whether the property was properly or improperly listed and assessed for taxation, for it was the intention of the Lexislature that taxes should be assessed against the proof in possession and enjoyment of the property, whose duty it is to pay such taxes as are authorized by law to be levied, and not the trustee, who holds merely the legal title. The listing and assessment of taxes on this property in the name of B. Wicker, trustee for E. A. Probst, etc., was, it is declared, in effect a listing and assessment in the name of E. A. Probst, the life tenant, and it is shown that under the law the person in whose name the real estate was listed when sold has the right to redeem the E. A. Probst, the life tenant, and it is shown that under the law the person in whose mame the real estate was listed when sold has the right to redeem the property; but no provision is made that the remainderman may redeem. It is said it would, therefore, be a travesty upon justice to hold that the deed from Christian, clerk, conveyed not only the life estate or Mrs. Probst in the property, but the right of the remainderman it other estate of Mrs. Probst in the property but not have been allowed under the law to redeem the property was sold, and would not have been allowed under the law to redeem the property had he desired or attempted to do so.

Trigg Company Case.
In the case of the First National Bank of this city and the Savings Bank of Richmond vs. the W. R. Trigg Company and others, in which the decision is adverse to the two banks, the whole control of the two banks, the whole control of the banks above named asserted their tidins, amounting in the aggregate to about \$\$5,000. The commissioner in chance ery made a report, giving priority to certain labor and supply llens over the claims of the banks, and the report having been confirmed by the court, the property of the Trigg Company sold, and the sale confirmed, the banks obtained an appeal to the Supreme Court.

They first attack the labor and sup-raised confirmed by the court, the property of the Trigg Company sold, and the sale confirmed by the court, the property of the Trigg Company sold, and the sale confirmed by the court, the property of the Trigg Company sold, and the sale confirmed by the court, the property of the Trigg Company sold, and the sale confirmed by the court, the property of the Supreme Court.

They first attack the labor and sup-raised to a property of the Trigg Company sold, and the sale confirmed to the confirmed by the court, the property of the Supreme Court.

They first attack the labor and sup-raised to a confirmed by the court, the property of the Trigg Company sold, and the sale confirmed to the confirmed by the court of

Supreme Judges Sustain Decision ply Hen statutelleging it to b ply lien statute lieging it to be unconstitutional and \(\) d, because in conflict with the fourter amendment of the United States \(\) stitution. It is said that the statute, lich provides that all persons furnishinupplies to a mining or manufacturing inpany necessary to the operation of \(\) same shall have a prior lien, discrinates against such companies and is \(\) same shall have a prior lien, discrinates against such companies and is \(\) same shall have as \(\) is condemned the decisions of courts throughout thourtry. The court, Judge Keith writings opinion, declares that it cannot sust that contention, saying that almost numerable cases have arisen in which \(\) statute has been resorted to, in both ate and Federal Courts, and rights clisd under it have always been enforcedned the wisdom of its enactment and \(\) beneficence of its operation have becally vindicated. It is further held hat, notwithstanding the contention, the contrary, the William R. Trigg Coany is such a manufacturing companies is contemplated by the supply lightante of this State; and this conclus is supported by quotations from the legraphiers and adjudicated cases. stitutional and d, because in conflict

Railway C.

Railway C.

In the cases of the Norfand Western Railway Company again penny's administrator, and the \$\frac{1}{2}\) expenses came up from theorems of the lower court in favor of thadministrators were set aside and n trials ordered. This was a suit, but the construction were set aside and n trials ordered. This was a suit, but the folk and western Railway in Virgin although the most of their time while mployed was gent in West Virgin and it seems that their contract to donstruction work for the railway county was really made in West Virgin and it seems that their contract to donstruction work for the railway county was really made in West Virgin and it seems that their contract to donstruction work for the railway county was really made in West Virgin and it seems that their contract to donstruction work for the railway county was really made in West Virgin and it seems that their contract to donstruction work for the railway county was really made in West Virgin and it seems that their contract to donstruction work for the railway county close in the case and the court of ppeals, reversing the lower court and dering a new trial, is based mainly on facts in the case and the erroneous inactions of the lower court; but the owing facts are of public interest: Theignial declaration in the case contain there counts, in each of which the W Virgin astute bearing on the cas was set out at large. Upon this po the court gives expression to a certain ates rights doctrine, as follows: "Foreigawa are matters of fact, and, like otherets, should be proved, unless establish by legal presumption. A court will no lake notice of their existence or their fus. And for this purpose the States of his Union are foreign to one another."

Summary.

By James Keth, president:

Md Electric Company. Circuit Court of city of Richmond. Reversed.
Judge Stafford G. Whittle;
Afolk and Western Railway Company vs.
Lyhburg Cotton Mill Company, Circuit Coul of Campbell county, Affirmed.
Nfolk and Western Railway Company vs.
Sche Circuit Court of Campbell county, Affirmed.

Brris. Cit of Richmond vs. Lynch and Duke. Hustla Court of city of Richmond. Affirmed. Bark vs. Barnes. Circuit Court of New Kent unit. Reversed. APEALS GRANTED;

OTHERS DENIED

Highes Court Disposes of Large Numer of Applications for Vrits of Error.

In the Sume Court of Appeals yesterday the followin pipeals were disposed of:
Douglas I Company vs. T. W. Thayer Company, Cit Court of Washington county, Writ of errord supersedeas, Bond, \$2,500.
Gathright of vs. Bowles. Circuit Court of Louisa county appeal and supersedeas. Bond, \$250.